

February 22, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rex T. Gallagher and Garner T. Hauptert, Jr.

Application No.: 09/506,246

Group: 1614

Filed: February 17, 2000

Examiner: Delacroix-Muirheid, Cybille

Confirmation No.: 7248

For: Process for Large-Scale Isolation and Purification of Hypothalamic Inhibitory Factor



CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
February 22, 2005	<i>Jenine Crump</i>
Date	Signature
<i>Jenine Crump</i>	
Typed or printed name of person signing certificate	

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is Amendment for filing in the above-identified application.

[X] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.

[ ] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

(COL. 1)	(COL. 2)	(COL. 3)
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL 40	MINUS * 40	0
INDEP 7	MINUS ** 7	0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM		

\* not fewer than 20

\*\* not fewer than 3

SMALL ENTITY	
RATE	ADDIT. FEE
X \$ 25	\$ 0
X \$ 100	\$ 0
+ \$ 180	\$

TOTAL = \$ 0

OTHER THAN SMALL ENTITY	
RATE	ADDIT. FEE
X \$ 50	\$
X \$ 200	\$
+ \$ 360	\$

TOTAL = \$ 0

**Petition for Extension of Time**

- ☒ The undersigned attorney petitions the Commissioner for Patents to extend the time for filing an Appeal Brief pursuant to the Notice of Appeal received in the U.S. Patent and Trademark Office on August 19, 2004 for four month(s), from October 19, 2004 to February 19, 2005 under 37 C.F.R. § 1.136(a).

In lieu of filing an Appeal Brief, Applicants' Attorney is filing a Request for Continued Examination concurrently herewith.

- ☐ A ☐ month extension of time to respond to the Notice to File Missing Parts dated ☐ was filed on ☐ with payment of a \$☐ fee

**Please charge Deposit Account No. 08-0380 for the following fees:**

- ☐ Petition for ☐ month Extension of Time \$ \_\_\_\_\_
- ☐ Amendment Fee \$ \_\_\_\_\_
- ☐ Other Fees: \_\_\_\_\_
- \_\_\_\_\_ \$ \_\_\_\_\_
- \_\_\_\_\_ \$ \_\_\_\_\_
- TOTAL: \$ 0

**A check is enclosed in payment of the following fees:**

- ☒ Petition for four month Extension of Time \$ 795
- ☐ Amendment Fee \$ \_\_\_\_\_
- ☒ Other Fees: \_\_\_\_\_
- \_\_\_\_\_ Request for Continued Examination (RCE) \$ 395
- \_\_\_\_\_ \$ \_\_\_\_\_
- TOTAL: \$ 1190

- ☒ A general authorization is hereby granted to charge Deposit Account No. 08-0380 for any fees required under 37 C.F.R. 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

Respectfully submitted,  
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Anne J. Collins  
Anne J. Collins  
Registration No.: 40,564  
Telephone (978) 341-0036  
Facsimile (978) 341-0136

Concord, Massachusetts 01742-9133

Dated: February 22, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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<u>February 22, 2005</u> Date	<u>[Signature]</u> Signature
<u>Garner T. Hauptert, Jr.</u> Typed or printed name of person signing certificate	

STATEMENTS UNDER 37 C.F.R. §1.806 AND 1.808

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.806 and § 1.808 the undersigned states:

1. The above-referenced application, as amended, contains reference to a biological deposit. A deposit of hybridoma 26-10 has been made under the terms of the Budapest Treaty on March 31, 1982 on behalf of Massachusetts General Hospital (the General Hospital Corporation), 55 Fruit Street, Boston, MA, 02114 at the American Type Culture Collection, 10801 University Boulevard, Manassas, Virginia 20110-2209 under Accession Number HB-8120.

2. In accordance with 37 C.R.F. §1.806 deposit HB-8120 is made for a term of at least thirty years and at least five years after the most recent request for the furnishing of a sample of the deposit is received by the depository. Deposit HB-8120 is stored under agreements that make it available beyond the enforceable life of the patent for which deposit HB-8120 was made.
3. In accordance with 37 C.F.R. §1.808(a)(1), access to deposit HB-8120 will be available during the pendency of the above-referenced application to one determined by the Commissioner to be entitled thereto under 37 C.F.R. §1.14 and 35 U.S.C. §122.
4. In accordance with 37 C.F.R. §1.808(a)(2), and except as permitted by 37 C.F.R. §1.808(b), all restrictions imposed by the depositor on the availability to the public of the deposited material will be irrevocably removed upon the granting of a patent on the above-referenced application.
5. The undersigned is an agent of record.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Anne J. Collins  
Anne J. Collins  
Registration No. 40,564  
Telephone: (978) 341-0036  
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: *February 22, 2005*